

November 30, 2005  
Case No.: AUS920010540US1 (9000/51)  
Serial No.: 09/935,396  
Filed: August 23, 2001  
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### **REMARKS/DISCUSSION OF ISSUES**

The Applicants thank the Examiner for her many courtesies during the November 15, 2005 interview with their counsel. Applicants' counsel greatly appreciates the Examiner's assistance, and while no agreement was reached, Applicants' counsel believes that prosecution of this matter has been advanced.

Claims 1-22. Claims 1-22 were rejected under 35 U.S.C. §102(e) as being anticipated by *Frye*. Applicants respond to this rejection as subsequently recited herein, and respectfully request reconsideration and further examination of the present application under 37 CFR § 1.112. The rejection of claims 1-22 is traversed.

To warrant this §102(e) rejection of pending claims 1-22, *Frye* must show each and every limitation of claims 1-22 in as complete detail as is contained in claims 1-22. See, MPEP §2131. *Frye* does not disclose and teaches away from the claimed terms "determining a readiness category for the decision maker" and "providing a readiness category rating for the readiness category" as recited in claims 1, 9, and 16.

The Examiner's citation to ¶40 is misplaced, as that section only discusses determining a status of various pieces of information received into a computer system and receiving a second stage approver's decision as to whether to advance the program into stage 3. See ¶40. *Frye* simply does not disclose determining a readiness category for the decision maker or providing a readiness category rating for the readiness category.

Notably, the readiness category is claimed as for the decision maker, rather than for the project itself. Thus, actual progress of the project is not addressed in this particular claim limitation, and the readiness category is for the decision maker.

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With respect to claims 2, 10, and 17, *Frye* does not disclose "assigning vote weighting to the decision maker." The Examiner's citation to ¶31 is misplaced, as *Frye* does not disclose the claimed element. At most, *Frye* discloses a tollgate that is a checkpoint in a project's progression involving a meeting between various members of a cross-functional team. At most, *Frye* implies that a vote is taken, but does not disclose assigning vote weighting to the decision maker.

Further, claims 2-8, 10-15, and 17-22 depend directly or indirectly from claims 1, 9, or 16 respectively, and are therefore patentable over the prior art for at least the same reasons.

Withdrawal of the rejection of claims 1-22 under U.S.C. §102(e) as being anticipated by *Frye* is therefore respectfully requested.

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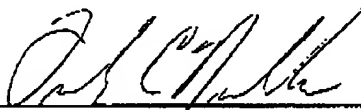
**CONCLUSION**

The Applicants respectfully submit that claims 1-22 as listed herein fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully Submitted,  
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